

## DISCIPLINE DECISION

REVIEWING PANEL: Sherry Darvish, Public Member  
Joe Malfara, Registrant Member  
Chris Pinelli, Registrant Member

IN THE MATTER OF A DISCIPLINE HEARING HELD PURSUANT TO THE MOTOR  
VEHICLE DEALERS ACT, 2002, S.O. 2002, c.30, Sch. B

B E T W E E N :

<b>ONTARIO MOTOR VEHICLE INDUSTRY COUNCIL</b>	)
- and -	)
<b>CHENIER MOTORS LTD.</b>	)
- and -	)
<b>KARA LYNN CHENIER</b>	)
- and -	)
<b>MICHAEL YUSKOW</b>	)

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This matter proceeded by way of Rule 1.07 of the Rules of Practice before the Discipline Tribunal and the Appeals Tribunal. This Reviewing Panel has reviewed and considered written materials from the Parties together with a waiver of the requirement for an oral hearing and hereby makes the following Order:

**Date of Decision:** May 27, 2026

**Findings:**

**Chenier Motors Ltd. (the “Dealer”) has breached the following:**

- Sections 4(1), 4(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

**Kara Lynn Chenier has breached the following:**

- Section 6(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

**Michael Yuskow has breached the following:**

- Section 4(1), 4(2), 6(2) and 9(3) of the Code of Ethics, O. Reg. 332/08

**Order:**

1. The Dealer shall pay a fine in the amount of **\$3,000** no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
2. Kara Lynn Chenier ("Chenier") shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
3. Michael Yuskow ("Yuskow") shall successfully complete (with a passing grade of at least 80%) the MVDA Key Elements Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.
4. The Dealer shall **offer** to all current and future salespersons, employed by the Dealer, to **fund** their completion of the Automotive Certification Course, no later than ninety (90) calendar days from the date of the Discipline Tribunal's Order.

**Overview**

This matter proceeded on the basis of an Agreed Statement of Facts, dated May 14, 2026, a jointly proposed disposition and a waiver of oral hearing, pursuant to Rule 1.07 of the Rules of Practice before the Discipline Tribunal and the Appeals Tribunal. The Agreed Statement of Facts states in relevant part as follows:

**Background:**

1. The Dealer was first registered as a motor vehicle dealer under the Act in or around June 1982. The Dealer has not been before the Discipline Committee or Discipline Tribunal since it was registered.
2. Chenier was first registered as a salesperson under the Act in or around July 1997. At all material times, Chenier has been an Officer and Person in Charge of the day-to-day activities of the Dealer.
3. Yuskow was first registered as a salesperson under the Act in and around June 2004. At all material times, Yuskow has been a salesperson of the Dealer.

**OMVIC Publications**

4. Since the Act was proclaimed in 2010, OMVIC has issued various educational materials, including publications, webinars and guidelines, reminding registrants of their all-in pricing obligations. Educational materials continue to be available on OMVIC's website.

## Reminders to Comply

5. During an inspection on or about June 9, 2016, a representative of the Registrar reminded the Dealer to advertise all-inclusive prices, as required pursuant to section 36 of O. Reg. 333/08 and the Code of Ethics.

## Dealer's Non-Compliance

6. On or before August 13, 2025, the Dealer published an advertisement for blue 2025 Jeep Compass, stock# 5192, (VIN \*\*\*608613) with an advertised price of \$41,591 plus taxes and fees, without particularizing what they were.
7. On or about August 13, 2025, a representative of OMVIC (the "Representative") made inquiries about the vehicle, while posing as a member of the public (also known as a 'mystery shop').
8. Yuskow, acting on behalf of the Dealer, provided the Representative with a worksheet, which indicated a total sale price of \$41,312 and the following additional fees.
  - a. \$2,195 Freight
  - b. \$100 Federal Air Tax
  - c. \$499 Administration fee
  - d. \$499 Platinum Security Ins. Fee
  - e. \$199 for Fuel
9. Yuskow further advised that there was a rebate of \$2,000 applicable to the transaction.
10. Adding the additional fees above to the total sale price of \$41,312 and subtracting the rebate of \$2,000 results in a total of \$42,804. This is \$1,213 greater than the vehicle's advertised price of \$41,591 (which also indicated that it did not include taxes or additional fees).
11. As a result, the Dealer's advertised vehicle price was not all-inclusive. This is contrary to section 36(7) of O. Reg. 333/08, as well as sections 4(1), 4(2) and 9(3) of the Code of Ethics.

## Chenier's Non-Compliance

12. Chenier, as a Person in Charge, failed to ensure that the Dealer conducted its business in compliance with the Act, its regulations, and the Code of Ethics and thus personally contravened sections 6(2) and 9(3) of the Code of Ethics.

## Yuskow's Non-Compliance

13. In regard to the above-noted vehicle, Yuskow engaged in the trade of a vehicle in a manner that is contrary to sections 4(1), 4(2) and 9(3) of the Code of Ethics and also caused the Dealer to contravene the Act, its regulations, and the Code of Ethics and thus personally contravened sections 6(2) and 9(3) of the Code of Ethics.

## **Dealer's Previous Compliance**

14. The Dealer's most recent inspections have shown compliance with section 36(7) of O. Reg. 333/08 in relation to all-in price advertising requirements.

## **Code of Ethics Violations**

15. As particularized above, the Dealer and Yuskow has violated the following section of the Code of Ethics:

### *Disclosure and marketing*

s.4(1) A registrant shall be clear and truthful in describing the features, benefits and prices connected with the motor vehicles in which the registrant trades and in explaining the products, services, programs and prices connected with those vehicles.

s.4(2) A registrant shall ensure that all representations, including advertising, made by or on behalf of the registrant in connection with trading in motor vehicles, are legal[...]

16. As particularized above, Chenier and Yuskow has violated the following section of the Code of Ethics:

### *Accountability*

s. 6(2) A registered salesperson shall not do or omit to do anything that causes the registered motor vehicle dealer who employs or retains the salesperson to contravene this Regulation or any applicable law with respect to trading in motor vehicles.

17. As particularized above, the Dealer, Chenier and Yuskow have violated the following section of the Code of Ethics:

### *Professionalism*

s. 9(3) A registrant shall use the registrant's best efforts to prevent error[...] in respect of a trade in a motor vehicle.

## **Decision of the Reviewing Panel**

Having reviewed and considered the Agreed Statement of Facts and written submissions provided by the Parties, the Reviewing Panel is satisfied that the evidence contained in the Agreed Statement of Facts substantiates the allegations that: the Dealer breached sections 4(1), 4(2) and 9(3) of the Code of Ethics, that Chenier has breached sections 6(2) and 9(3) of the Code of Ethics, and that Yuskow has breached sections 4(1), 4(2), 6(2) and 9(3) of the Code of Ethics.

The Reviewing Panel accepted the parties' proposed resolution for the reasons below.

**Reasons for Decision**

In accepting the penalty, the Panel notes that this the dealer's first incident with a breach of the Code of Ethics and the small amount involved. The Panel is satisfied that the penalty meets the objectives of penalties and that it does not bring the administration of justice into disrepute.

Ontario Motor Vehicle Industry Council

Discipline Tribunal

Dated: May 27, 2026

*S. Darvish*

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Sherry Darvish, Public Member

On behalf of:  
Joe Malfara, Registrant Member  
Chris Pinelli, Registrant Member